



January 9, 2014

The Honorable Gina McCarthy  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

Dear Administrator McCarthy,

As you know, significant concern has been raised about the substance of the Bristol Bay Assessment (“BBA”) and the processes the Agency used in developing it. Those concerns have not been raised just by the Pebble Partnership; they have been raised by the Agency’s own peer reviewers, the State of Alaska, some Alaska Native tribes and corporations, many non-governmental organizations, and numerous other outside parties. I wanted to let you know of a further step being taken by Northern Dynasty Minerals – owner of the Pebble Partnership – because of the continuing concerns they have about the BBA.

Northern Dynasty, through counsel, has delivered today to the Agency’s Inspector General a letter describing the BBA as scientifically indefensible and biased, and arguing that it violates the Information Quality Act (“IQA”), as well as EPA’s own IQA policies, and EPA’s risk assessment and peer review policies. It further requests that the IG investigate the potential violation of those laws and policies. We attach a copy of that letter.

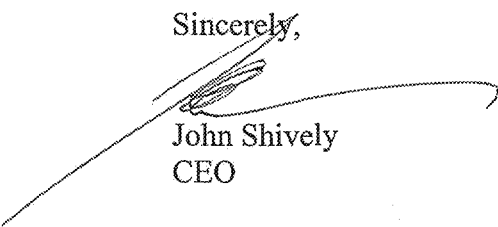
The Agency may well ultimately disagree about the characterization of the BBA, but given the extensive factual record set out in the letter, it is impossible to dismiss the accusations as unfounded. Therefore, we write to you today to ask that you not allow the Agency to finalize the BBA until the IG either has concluded his investigation should he decide to initiate one, or has decided not to initiate an investigation.

The Agency suffers no harm by delaying the BBA. It does not in doing so give up any ability to use whatever its authority may be under Section 404 of the Clean Water Act. No harm whatsoever to public health or the environment will occur because of a delay in finalization of the BBA.



We look forward to your response. Please do not hesitate to contact me should you have questions.

Sincerely,



John Shively  
CEO